

### **REMARKS**

This Application has been carefully reviewed in light of the Final Office Action mailed August 12, 2005 ("*Office Action*"). At the time of the *Office Action*, Claims 1-18 were pending in the application. The Examiner rejects Claims 1-18. Applicants respectfully request reconsideration and favorable action in this case.

#### **I. Section 102 Rejections: Claims 1-17**

The Examiner rejects Claims 1-17 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,847,989 issued to Chastain et al. ("*Chastain*"). Applicants respectfully traverse this rejection and submit that *Chastain* does not describe, expressly or inherently, each and every limitation of the claims. For example, Applicants' independent Claim 1 recites:

A method for processing a network management message comprising:  
receiving a network management message;  
parsing the network management message into a plurality of fields; and  
for each of a plurality of client consoles each having associated  
filtering criteria:  
determining whether particular ones of the plurality of fields of  
the parsed network management message satisfy the filtering criteria  
associated with that client console; and  
communicating the particular fields of the parsed network  
management message determined to satisfy the filtering criteria to that client  
console for display by that client console.

Applicants respectfully submit that *Chastain* fails to teach every element of this claim.

In general, *Chastain* provides a method "for creating mail rules using existing electronic messages." (col. 8, lines 23-25). The rules are generated to automatically manipulate messages in the same way that a user has chosen to manipulate other messages. (col. 5, lines 58-63). After the user tells the system to create a rule, the system "parses through the selected message or messages and looks for commonality or specific characteristics." (col. 5, line 63 - col. 6, line 4). After generating a potential rule, the system presents that rule to the user, who can accept, modify, or reject the proposed rule. (col. 6, lines 4-10). If the user accepts the rule, the system saves the rule and applies it to other electronic messages the user receives. (col. 2, lines 42-43; col. 8, lines 27-29). *Chastain* fails to address any aspects of processing network management messages, and thus fails to teach every element of Claim 1.

**A. *Chastain* fails to disclose a plurality of client consoles each having associated filtering criteria.**

Claim 1 identifies “a plurality of client consoles each having associated filtering criteria.” Applicants respectfully submit that *Chastain* fails to disclose multiple client consoles. Moreover, *Chastain* fails to disclose multiple client consoles each having associated filtering criteria.

The *Office Action* fails to directly address both the requirement for multiple client consoles and the requirement that each client console have associated filtering criteria. However, the *Office Action* appears to reference Figure 7, item 710 and column 7, line 63 to column 8, line 12 of *Chastain* as disclosing the client consoles. (*Office Action*, page 3, ¶ 6). Figure 7, item 710 of *Chastain* is a step in a flowchart that bears the text: “Present rule to user.” The cited text provides little clarification for this step, stating merely: “The rule is presented to the user (step 710).” (*Chastain*, col. 8, lines 10-11).

Other portions of *Chastain* provide more details with respect to the presentation of a rule to a user. Specifically, Figure 6 of *Chastain* and the accompanying text at column 6, lines 36-54 illustrate and discuss the user interface for presenting a rule to a user. However, a single user interface for presenting proposed rules to a user fails to disclose multiple client consoles. Moreover, a single user interface for presenting proposed rules to a user fails to disclose multiple client consoles *each having associated filtering criteria*.

Thus, *Chastain* does not disclose, expressly or inherently, “a plurality of client consoles each having associated filtering criteria,” as required by Claim 1. Independent Claims 9 and 14 include limitations that, for substantially similar reasons, are not disclosed by *Chastain*. Because *Chastain* does not disclose, expressly or inherently, every element of independent Claims 1, 9, and 14, Applicants respectfully request reconsideration and allowance of Claims 1, 9, and 14 and their respective dependent claims.

**B. *Chastain* fails to disclose the claimed steps performed for each of the plurality of client consoles.**

Applicants’ independent Claim 1 requires the performance of two steps with respect to each of the multiple client consoles. In particular, Claim 1 requires, for each of a plurality of client consoles each having associated filtering criteria:

determining whether particular ones of the plurality of fields of the parsed network management message satisfy the filtering criteria associated with that client console; and  
communicating the particular fields of the parsed network management message determined to satisfy the filtering criteria to that client console for display by that client console.

*Chastain* fails to disclose filtering criteria associated with any client console, let alone multiple client consoles each having associated filtering criteria. *Chastain* thus necessarily fails to disclose determining, for each client console, fields that “satisfy the filtering criteria associated with that client console.” Moreover, *Chastain* fails to disclose communicating, to each client console, “the particular fields of the parsed network management message determined to satisfy the filtering criteria” for that client console. *Chastain*’s single user interface for displaying proposed rules to a user does not disclose, either expressly or inherently, any of these aspects of Claim 1.

Thus, *Chastain* does not disclose, expressly or inherently, each and every limitation of Claim 1. Independent Claims 9 and 14 include limitations that, for substantially similar reasons, are not disclosed by *Chastain*. Because *Chastain* does not disclose, expressly or inherently, every element of independent Claims 1, 9, and 14, Applicants respectfully request reconsideration and allowance of Claims 1, 9, and 14 and their respective dependent claims.

**C. The dependent claims include additional patentable limitations.**

For example, consider Claim 5, which recites:

The method of Claim 1, wherein the filtering criteria comprise a message type and a user type, and the fields satisfy the filtering criteria if a value for a selected one of the fields matches the message type and the user type indicates an authorization to receive the message.

Among other aspects, *Chastain* does not disclose a “user type” or that “the user type indicates an authorization to receive [a] message,” as required by Claim 5. In fact, *Chastain* fails to discuss any type of authorization. The *Office Action* identifies the “user type” as inherent, but it fails to address or mention authorization. (*Office Action*, pg. 4). Even assuming, for the sake of argument, that *Chastain* inherently discloses a “user type,” *Chastain* cannot inherently disclose that the user type indicates an authorization, particularly when *Chastain* never mentions any type of authorization.

Therefore, *Chastain* fails to describe, expressly or inherently, all limitations of Claim 5. While not expressly discussed, other dependent claims provide further patentable limitations. Applicants respectfully request reconsideration of these limitations and allowance of the claims.

## **II. Section 103 Rejections: Claim 18**

The Examiner rejects Claim 18 under 35 U.S.C. § 103(a) as unpatentable over *Chastain* in view of U.S. Patent No. 6,731,627 to Gupta et al. ("*Gupta*"). Applicants respectfully traverse this rejection and submit that *Chastain* and *Gupta*, whether taken alone or in combination, fail to teach or suggest all limitations of Claim 18. Also, *Chastain* and *Gupta* are non-analogous art and cannot be properly combined. Finally, Applicants submit that the *Office Action* has not provided a suggestion or motivation to combine the references sufficient to establish a *prima facie* case of obviousness. Claim 18 recites:

A communication system comprising:

a client operable to generate a common object request broker architecture (CORBA) command targeted at a network element and to communicate the CORBA command to a server;

the server operable to receive the CORBA command, to determine fields for a transaction language 1 (TL1) command based on the CORBA command, to generate the TL1 command using the fields, to communicate the TL1 command to the network element, and, for each of a plurality of client consoles each having associated filtering criteria, to determine whether particular ones of the plurality of fields of the parsed network management message satisfy the filtering criteria associated with that client console and to communicate the particular fields of the parsed network management message determined to satisfy the filtering criteria to that client console for display by that client console.

### **A. *Chastain* and *Gupta*, whether taken alone or in combination, fail to teach or suggest all limitations of Claim 18.**

As described above, Applicants have shown that *Chastain* fails to disclose all limitations of Claim 1. Claim 18 includes limitations that, for substantially similar reasons, are not taught or suggested by *Chastain*. *Gupta* fails to remedy these deficiencies of *Chastain*.

For at least this reason, *Chastain* and *Gupta*, whether taken alone or in combination, fail to teach or suggest all limitations of Claim 18. Because the references fail to teach all limitations of the claim, Applicants respectfully request reconsideration and allowance of Claim 18.

**B. *Chastain* and *Gupta* are non-analogous art and cannot be properly combined.**

Second, the *Chastain-Gupta* combination is improper because *Gupta* is not analogous prior art. The Examiner must determine what is analogous prior art for the purpose of analyzing the obviousness of the subject matter at issue. M.P.E.P. § 2141.01(a). “In order to rely on a reference as a basis for rejection of an applicant’s invention, the reference must either be in the field of applicant’s endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned.” *In re Oetiker*, 977 F.2d 1443, 1446 (Fed. Cir. 1992). “A reference is reasonably pertinent if, even though it may be in a different field from that of the inventor’s endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor’s attention when considering his problem.” *In re Clay*, 966 F.2d 656, 659 (Fed. Cir. 1992).

*Chastain* and *Gupta* are non-analogous art. *Chastain* deals with automatically creating rules to process electronic messages in response to a user’s actions, while *Gupta* deals with a method for transmitting voice packets over in-home wiring to a gateway operable to convert between the voice packets and a circuit format compatible with a local digital voice switch. The art units of the two references further highlight that *Chastain* and *Gupta* are non-analogous, as there is no overlap between the U.S. classifications or fields of search for the two references.

For at least these reasons, Claim 18 is patentable over *Chastain* and *Gupta*. Applicants respectfully request reconsideration and allowance of Claim 18.

**C. There is no teaching, suggestion, or motivation to combine or modify the teachings of the references.**

Applicants respectfully submit that Claim 18 is patentable over the cited references because there is no teaching, suggestion, or motivation to combine or modify the teachings of the references. To establish a *prima facie* case of obviousness, there must be some

suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. M.P.E.P. § 2143. “The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.” M.P.E.P. § 2143.01.

In the present case, the *Office Action* has not cited any evidence of a teaching, suggestion, or motivation to combine or modify the teachings of *Chastain* and *Gupta*. Instead, the *Office Action* has merely stated that the teachings of one reference would improve the teachings of another reference, stating:

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chastain in view of Gupta to provide [some elements of Claim 18]. One would be motivated to do so to allow applications to communicate with each other regardless of their location or who design them.

*Office Action*, page 7.

Applicants respectfully submit that this statement does not provide the required evidence of a teaching, suggestion, or motivation to combine or modify the references. This statement represents the subjective belief of the Examiner, does not point to any known authority, and therefore is not based on objective evidence of record. Thus, the *Office Action* has not provided any evidence of a teaching, suggestion, or motivation to combine or modify the references, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art.

For these reasons the *Office Action* fails to present a *prima facie* case of obviousness. Applicants therefore respectfully submit that Claim 18 is allowable over the cited references.

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Kurt M. Pankratz, Attorney for Applicants, at the Examiner's convenience at (214) 953-6584.

Although no fees are believed due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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